

BILL ANALYSIS

S.B. 1211
By: Fraser
Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The Charitable Immunity and Liability Act of 1987 provides that a volunteer health care provider who is serving as a direct service volunteer of a charitable organization is immune from civil liability for any act or omission resulting in injury to a patient under certain circumstances. The statute defines "volunteer health care provider" to include certain medical professionals, including physicians and dentists. However, speech-language pathologists and audiologists are not included in the definition.

As proposed, S.B. 1211 amends Section 84.003 (Definitions), Civil Practice and Remedies Code, to redefine "volunteer health care provider" to include speech-language pathologists and audiologists.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

ANALYSIS

SECTION 1. Amends Section 84.003(5), Civil Practice and Remedies Code, to redefine "volunteer health care provider" to include an audiologist, assistant in audiology, speech-language pathologist, or assistant in speech-language pathologist, or assistant in speech-language pathology licensed under Chapter 401 (Speech-Language Pathologists and Audiologists), or a retired audiologist, assistant in audiology, speech-language pathologist, or assistant in speech-language pathology who is eligible to provide health care services under this laws of this state.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2009.

EFFECTIVE DATE

September 1, 2009.